



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MAR 20 2009

Mario D. Nicolais, Esq.
Hackstaff Gessler, LLC
1601 Blake Street, Suite 310
Denver, CO 80202

RE: MUR 6056
Protect Colorado Jobs, Inc.
John Berry, Esq.
Curt Cerveney

Dear Mr. Nicolais:

On August 26, 2008, the Federal Election Commission notified your clients, Protect Colorado Jobs, Inc., John Berry, Esq. and Curt Cerveney, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act").

On March 11, 2009, the Commission considered the complaint but was equally divided on whether there was reason to believe that your clients violated the Act. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A Statement of Reasons providing the basis for the Commission's decision will follow.

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If you have any questions, please contact Shana M. Broussard, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Mark Allen
Assistant General Counsel

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